

A
L E T T E R

F R O M A

Gentleman in the *North*,

T O A

MINISTER, who has not intimated the Act
of PARLIAMENT, for the more effectual
bringing to Justice the Murderers of Captain
John Porteous.

O C C A S I O N E D

By two Pamphlets lately published; The one enti-
tuled, *A Letter from a Layman, &c.* The other,
Queries offered to the Publick, &c.

Love the Brotherhood. Fear God. Honour the King.
1 Pet. ii. 17.

NEC TAMEN CONSUMEBATUR.

Motto of the Ch. of Scot.

Let those learn it from St. Paul, who will not hear it from others,
that RIGHTS and PRIVILEGES, LIBERTY and PRO-
PERTY, and the like, are not Words fitted only to raise the
Spirits of the People, and to foment Disturbances in Society,
but that they are Things worth contending for. — The
Apostle's Behaviour was what it was — because it was a Case,
not of Concern to himself only, but to human Society — .

HOADLY Ser. on Acts xxii. 22, 25.

Printed in the Year, M. D. CC. XXXVII.

by P. Lumisden

WHITE

1905

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NEW YORK

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A

LETTER, &c.

Reverend Sir,



Herewith return you the Letter and Queries, which I promised to send the Reverend -----, one of your Brethren, whose Conduct, you said, you was not quite pleas'd with, because they intimated so much of the late Act of Parliament, &c. and intreated, I would take the Trouble to show him these Pamphlets, which you thought, were enough to convince any Man, that *Absolute Silence* was the alone Method, with respect to that Act of Parliament, consistent with *Presbyterian and Revolution Principles*, and heartily wish'd, that he and some others, you named with a very particular Esteem, might recant what they had done.

One of these Brethren made me a Visit soon after, when I put the Pamphlets into his Hand, and begg'd the Favour of him to peruse them, and give me his Opinion of them; I only told him further, that I had a certain Reason for asking this Favour, that concern'd his own and the Conduct of others of his Brethren, with respect to the Act, &c. and which I might possibly communicate to him afterwards.

He smiled and said, 'twas perhaps no very hard Matter to guess the Reason; but thought himself obliged, with the greatest Chearfulness, to grant such a small Favour, without asking Questions. ---- I began however to be in some small Pain, when I heard nothing from him for a Week after; which made me resolve to see him at his own House; where, after common Compliments, we enter'd upon the Subject of the Pamphlets, which, he said, he had gone over with some Attention, and drawn up so much of a Letter, which he thought to have finished that Afternoon, and sent me next Day; but since I had come to his House, he judged it safest not to give a Letter out of his Hand, on so nice a Subject; but rather give his Opinion of the Pamphlets after Supper, which, (added he) I shall do with that Openness, Sincerity and Confidence, which has ever been the mutual Endearment, and sure Band of our Friendship. ----- This Conversation lasted some Hours, and I have imparted so much of it to you, as I can remember, hoping it may conduce to your Satisfaction, and in some Degree, remove these Prejudices you may have conceived at any of your Brethren, which, I think are very causeless, as the Case is here stated: I hope, I need not put one of your good Sense in mind, that I write merely from my Memory, and therefore whatever you may think less exact, placed in too strong a Light, or has the least Appearance of Disrespect to any, &c. in this Narrative, is solely imputable to me. For I here assure you, your Brother spoke with a Caution, Modesty and Exactness, and especially a Regard to the Legislature, that I was wonderfully pleased with; 'twas a Pity you did not hear it all from himself, his Subject suffers on that Account, but I'll venture to give it as I am able.

“ Tho’

“ Tho’ I am altogether, *said he*, of Opinion,
 “ (Letter p. 4) that Ministers are not to imagine
 “ themselves, nor is any body else to imagine them
 “ proper Heralds; at least it is not in the Power
 “ of Imagination to make them so: Yet I cannot
 “ so easily admit, without a Distinction, that, the
 “ TASK ENJOINED is directly extrinsecal and fo-
 “ reign to their Profession. ” When the same
 TASK is ENJOIN’D a considerable Number, ’tis
 scarce supposable, they should all chance to be of
 equal Strength and Ability, to perform it in a given
 Time; and if one or more of them, feel the TASK
 as ENJOIN’D, quite disproportionate to their Abili-
 ty, a merciful Superior is better pleased to find a
 chearful Obedience paid, as far as the Servant is real-
 ly, or reasonably able, tho’ the whole shou’d not be
 perform’d in the precise Terms of the Command,
 than to see the whole Work done, but the misera-
 ble Doer, either just expiring, by reason of his ha-
 ving overpower’d Nature, to accomplish all his Stint,
 out of dread of incurring a threatned Penalty; or
 tugging at it with a grumbling and reluctant Mind,
 because of the notorious Force and Violence he
 must offer to his natural Strength: Either Case shows
 a Diffidence in the Wisdom and Clemency of the
 Superior, that must provoke Resentment; while
 doing chearfully what one is able, and leaving the
 rest to that Clemency and Indulgence, of which,
 the former two suppose him entirely void, must na-
 turally incline to Gentleness and Forbearance: Yet,
 it would be uncommon Indulgence, on the other
 side, to admit the Excuse, because the whole Task
 taken together, was really disproportion’d to my
 Strength, therefore I thought my self at Liberty,
 even to sit down, without doing any thing at all, or
 so much of the Task as was in my Power to have
 accomplish’d. ---- You’ll see in the sequel, the Use
 I make of this general Hint.

You

You know, Sir, the last Week of *July* was the soonest that any Copies of the Act, &c. were sent us by the Sheriff, and the Act was enjoin'd to be read the first Sabbath of *August* thereafter; the Unusualness of the Appointment, the Severity of the Penalty, in case of neglecting it, the Time, and Place, and Frequency of Publication, made Impression upon all; and some were exceedingly diffculted about some other Parts of the Act itself. To me it was always a Principle most sacred, and still is, *That all Subjects, without Distinction, are obliged to go as far with the Legislature, as they can with a safe Conscience*; and I soon came to a Resolution, to yield my self wholly to the Influence of this Principle, in the present Case; and thereupon apply'd my self, with all the Attention I could command, to consider the whole Act as it stood; neither can I deny, but I found some things in it, not altogether such as I cou'd have wish'd, (Letter p. 10.) and which fill'd my Mind with Doubts, such as I was neither able to disentangle my self from, nor be resolved in by others, to whom I propos'd them; at least, in all the spare Time, I could afford from the ordinary Duties of my Function, and other necessary Avocations, betwixt my receiving the Act, and the enjoin'd Time of Publication: Yet it was to me most obvious, that the general Intention of the Act greatly conduced to the Good of Society, and maintaining the just Rights of legal Government: Hence I was led to conceive of the TASK ENJOIN'D, (I shall retain this Epithet of the Letter, lest I should do Harm to his Argument) as consisting of two (to me at least) very distinct Parts; and I shall freely communicate to you what my Thoughts were, with respect to both.

One Part of it appear'd in this Light. ---- The *British* Parliament have enjoin'd the Ministers of the

the Church of *Scotland*, to intimate to their Hearers; that Mobs are subversive of legal Government, and Rioters ought to be punish'd with the highest Rigour, and Severity of Law; and have enacted, the Prosecution of all those, who shall be legally convicted of the Murder of Captain *John Porteous*, with the Pains of Death, and Confiscation of Moveables; and that, the like Penalty be inflicted upon every Person, who shall knowingly conceal, aid, abett, or succour such as shall be fugitate, in due Course of Law, on that account. All that Part of the Act, which enacts as above, I think, any Minister of the Church of *Scotland* may publish from his Pulpit, without commencing, or imagining himself a *Herald*; nor does it at all seem directly extrinfecal and foreign to any Subject, whatever his Profession be, to inform his Fellow-Subjects of all this, on any Day, from any Place, or to any Persons, where, and among whom his Station of Life obliges him to officiate. Can it be supposed, beneath the Dignity, or Sacredness of any Character to do all in ones Power, to promote the Peace and Security of legal Government; and do an Act of Justice and Compassion to his Fellow-creatures? Sure, every Man may, and ought to promote these good Ends, and abound in these morally good Actions, to his utmost Ability, without the Authority of the Parliament of *Great-Britain* enjoining it; and is it not equally hard to suppose, that, when this is interposed, any other Obligation shou'd thereby be render'd void and of no Force? While, the Truth is, it leaves all other Ties of Duty entire, and is itself an additional one †.

If this be the true State of one Part of the TASK

† *Vid.* Letter p. 5. Marg. Note (b)

ENJOINED; as I hope to make it evident it is, then that Part (for I restrict my self to so much of the Act, as is above mention'd) of it will carry no Inconsistence with, but go upon the Supposition (Letter p. 6, 7.) that Ministers are to look into Papers they publish from their Pulpits on the Lord's Day, and be satisfied in their own Minds, that they read nothing at such a Time, and from such a Place, but what is right, and consistent with the Good of, and no ways injurious to Mankind; nor ought they to be the Medium of communicating the Knowledge of Wrong; as far will it be from coming within Sight of King *James's* Declaration in 1688, which some thousands of the *English* Clergy gloriously, and to their immortal Honour, refused to read; nor will it interfere, in the least, with the tenderest Regard to the Law of God, the eternal Rule of all Righteousness, which commands to *abstain from all Appearance of Evil*, no doubt, from the Appearance of being the Medium of communicating the Knowledge of Wrong, a very great Evil; as well as from all Appearance of obstinate Contempt of lawful Authority, no small Evil either; every thing in Christianity, Love to Mankind (Letter *ibid.*) equally forbids both.

Before I go farther, I must beg you'll take the Trouble to turn to a Paragraph of the Letter (p. 10.) " We look upon the Murder of Captain *Porteous*, with Abhorrence; to search out, and punish the Actors, is most reasonable, and it is Arrogance, to prescribe what Methods a Government may take for its Security, or how far they must go, for their own, and the common Safety and Well. " ----- If all this be true, *Then*, a Minister is not the Medium of communicating the Knowledge of Wrong, when he says from the Pulpit, that Mobs are subversive of legal Government;

ment; for, “ we are to look upon Mobs with Abhorrence, (Letter p. 1.) and upon Captain *Porteous*’ Murder with Abhorrence (p. 10.). ” As little is he the Medium of communicating the Knowledge of Wrong, when he tells his People, that the Parliament have enacted, that the Rioters be prosecuted with the highest Penalties, *viz.* Death, and Confiscation of Moveables, for “ the punishing the “ Rioters is most reasonable (*ibid.*) . ” And what Punishment can be thought severe enough for Subverters of legal Government? *They are to be look’d on and treated with Abhorrence.* No more is a Minister the Medium, &c. when he intimates further, that the Parliament have threatned Death and Confiscation of Moveables, to all who shall be legally convicted of concealing, aiding, abetting, or succouring those, who in due course of Law, shall be declared fugitive, on account of *Porteous*’ Murder. ’Tis fact the Parliament have done so, and ’tis *Arrogance* to say that in doing this, they have done *Wrong*, or any thing *injurious to Mankind*; to say so, would be to prescribe what Methods the Government may take, or how far they must go for their own and the common Safety and Well (*ibid.*)

I apprehend all the Difficulty lies in the last mentioned Penalty: The Letter and Queries indeed seem to state an unsurmountable Difficulty on both sides of the Question, *viz.* Whether a Minister shall be the Medium of communicating the Knowledge of Wrong (as they suppose the Penalty wrong, in being too rigorous) by intimating it? Or whether he shall be arrogant, and prescribe to the Government, in not intimating it? And I shall only observe on their State of the Question, that great Allowance is to be made for a Minister, if he is sway’d to the Intimation, rather than the other Side, *i. e.*

takes the Opinion of the Wisdom of the Nation in the present Case, as wiser and better than that of any private Man, his own, the Querist's, or Letter-writer's.

Still it cannot be denied, but a Minister who has attended to the possible Consequences of this Penalty †, might have felt a strong Pinch, and wish'd, there had been no such Penalty in an Act, he was to read from his Pulpit: (and I charitably believe, such as have attended to this, have been determin'd to intimate it, or forbear, as has best suited the Peace of their own Minds) Yet 'tis hard to say that there was not enough to determine one the most rigidly attach'd to Presbyterian and Revolution Principles, rather to intimate even that Penalty, than forbear: And for your Satisfaction, I shall endeavour fairly to state the Question on both Sides. Suppose (Letter p. 10, 11.) this Penalty looks something like the Intercommunings of the late unhappy Times, the very Remembrance of which is horrid to every free Subject; nay further, to give the Argument all the Weight it possibly can have, add to this, that a Minister was of Opinion himself, that, if some of the Cases supposed (Queries p. 5.) should chance to be his own Case, he would choose rather to throw himself upon the Mercy of the Legislature, and take patiently whatever Punishment they would inflict upon him, than violate the sacred Ties of Gratitude, Friendship, Nature or Blood; and if a Father (for instance) or Son, a Benefactor, or intimate Friend of his, who had been unhappily train'd in to take part in the late Riot at *Edinburgh*, should flee to his Roof for Sanctuary, he would run any

† *Vid.* Queries p. 4, 5. Letter p. 10, 11.

risque in concealing and succouring such a one, till
 an Opportunity offer'd for his getting beyond Seas,
 or an Indemnity might possibly come out, rather
 than trespass against the natural Obligations above
 mention'd, by giving him up to the Pains of
 Death, &c. Supposing all this, yet ought he to for-
 bear to intimate this Penalty to others? I think not.
 For 'tis to be weigh'd on the other Hand, not on-
 ly how far Regard is to be had to the Authority of
 the Legislature, " who most reasonably ought to
 " search out Rioters, and the Arrogance of prescri-
 " bing Methods to them ; " but likewise 'tis to be
 weigh'd, how far he is obliged, whatever his own
 private Judgment be, to lay the Appointment of
 the Legislature fairly before others, if he is com-
 manded so to do, and not to conceal the Danger
 they are expos'd to: And if he does conceal it,
 how far he is to blame, in thereby precluding o-
 thers, as much concerned in the Law made, as he
 himself is, from weighing the Consequences on both
 Sides, and acting like reasonable Creatures, with
 free Choice, if any of the above supposable Cases
 shou'd happen to be their own: Or is he to leave
 them in the dark, to be unawares and ignorantly
 snared, for meer Want of Advertisement, till they
 become liable in Law, and are led out to Prison,
 and from that to Execution, with the painful
 Thought, more bitter than their own Share in the
 Penalty, that their guiltless Children are to be disin-
 herited, and left behind, destitute of the very Ne-
 cessaries of Life? Is a Minister sure, that every one,
 upon hearing and weighing the Consequences of
 that Penalty, in all supposable Cases, will have the
 very same Sense of the thing with himself, and will
 act in the very same Manner, that he would think
 himself obliged to? Might not another Man see it
 in a quite different Point of Light, and would not

this have a quite different Influence upon his Con-
 duct? " And have not all Mankind (*Queries p. 1.*)
 " a Freedom of thinking for themselves? Is it not
 " a Privilege which every Man exercises within his
 " own Breast, which no Power can controul, nor
 " Violence destroy? " Or shall all in the Congre-
 gation be obliged to follow the Minister, in the
 dark, without being allow'd to know so much as
 what the Will of the Legislature is? Add to all
 this, that if it should fall out, that any one of this
 Minister's Congregation should be an unhappy Suf-
 ferer, without having ever heard of the Penalty, till
 he was actually seiz'd, yet upon hearing of such a
 Law, should be of a different Opinion from that his
 Minister is here supposed to be of, how justly
 might this poor Man complain of the Cruelty and
 Iniquity he had met with, in having been kept ig-
 norant of it? But then who is to blame for Want
 of Justice and Compassion in this Case? Not the
 Legislature, who have taken a most singular Me-
 thod for effectually publishing this Penalty, that
 none may pretend Ignorance. Who then is charge-
 able with the terrible Effects of the Penalty upon
 the Man and his Family? Or what dark Reflexions
 must haunt the Ministers Mind, who had it in his
 Power to have prevented all, by making the Inti-
 mation, to which he was obliged by the Authority
 of the Parliament of *Great-Britain*? Or how would
 he be able, in this supposable Case, to account for
 such Neglect, to God, the Legislature, himself, the
 World, or his suffering Parishioner? When the Case
 is fairly stated on both Sides, you'll easily perceive,
 that 'tis hard to condemn a Minister for having
 published this Part of the Act.

To all this, I know, 'tis alleged (*Letter p. 28,*
29.) " that some apprehend, no such fatal Con-
 " sequences may attend a Minister's Silence. " I
 hope

hope and pray God, none such may attend it; but if others apprehend, that some such fatal Consequences may attend their Silence, is not this Apprehension as well grounded as that? Nor does it mend the Matter to say, " That other Acts of Parliament, enacting several Penalties, and relating to every Individual, yet have never been order'd to be published in this Manner, &c. " But does not the Letter-writer himself destroy this Part of the Text, by his own Commentary (p. 29. Marg. Note (a)) where he proposes the Question, Are the Clergy to judge whether the Act be sufficiently published otherwise, and so obey, or not? This, he says, he condemns. Nor is it of any Weight, to talk of " the Noise the Act has made, &c. " for what Noise soever the Act has made about *Edinburgh*, how well soever the Penalties are known in other Places, or however well versed every Individual may be in its Contents in the *South*; yet it is certain, in the *North* not one of fifty in most Congregations know one Word of their own Danger; and as little about the Act, except only, that there was an Act of Parliament, about the hanging of *Porteous*, which their Ministers are requir'd to read, and about the reading whereof, many of the Clergy had great Scruples, and were all put in a strange Stir. As to what is said, " whether the Parliament, in their Wisdom, will supply the Clergy's Defect next Session, by causing the Act to be read at the Church Doors, &c. " all these things are Secrets in the Breasts of the Members of Parliament, which they may ordain or forbear to appoint, and no Man can tell, whether they will do the one or the other. And tho' it is alleged farther, " That the People are in no Danger, at least, for near this Twelvemonth to come, " yet 'tis a good Mean to prevent Danger, to be timeously war-

warned and apprised of its coming: And the greater Risque Men have to run, the greater need there is to put them early on their Guard, that they may have their Thoughts about them, and be ripely advised, to which Side to take themselves, whether Obedience or suffering.

I shall now as freely tell you, in what Light the other Part of the TASK ENJOINED appeared to me. ----- How far the Penalties, with respect to Non-complying Clergymen, are purely ecclesiastical, especially that threatned for the first Offence, and as such, can in Law be inflicted by the civil Magistrate, or does belong rather to the ecclesiastick Jurisdiction of the Church of *Scotland*, as by Law establish'd (Queries p. 6.)? Or since this Penalty is a meer Compulsatory, relating solely to the Clergy, how far the People are at all concerned to know, or have it read to them, when the reading of it is sure to enrage them at their Ministers, if not to produce worse Effects? And whether this Consideration can excuse the not reading this Part of the Act, upon the footing of Lawfulness or Expediency†? How far the Clauses relating to Informers, who may notwithstanding be admitted Witnesses, and the Premiums to encourage such Infor-

† *Vid.* Lawfulness and Necessity of reading, &c. Edit. *E-din.* upon this Penalty, who seems to give up with reading of this Penalty. I shall only add here, that one's at a loss to conceive for what Reason, little and silly Insinuations are thrown into Pamphlets, as if the Government and the Dissenters were instantly to look on the Clergy of *Scotland* as *Jacobites*, in case of not reading all, or reading a Part, and not giving full Obedience to Parliamentary Authority. I know no service this does to an Argument, or how respectful it is to the Government or the Dissenters, but I am sure, the *Scotch Jacobites* will not so easily give us Credit, till they get more certain Signs of our Conversion, than reading or not reading the *Act of Parliament for bringing to Justice the Murderers of Captain John Porteous.*

mers,

mers, be right or wrong, in the present circumstanced Case, and can be reconciled with the Laws upon which our civil Constitution is founded (Queries p. 2) †? How well it suits a Pulpit, the Lord's Day, or a Protestant Minister, to become a Hound out of Informers; or if a Regard to Mercy and Humanity ought to sway Men of our Order, rather to leave these Parts of the Law to the Fate of the ordinary Methods of Publication? How far, I say, these or any other Questions, relating to any Part of the Act, (excepting that Part of it already mention'd) may perplex and intangle the Mind of a Minister of the Church of *Scotland* with certain Doubts, even to that Degree, as quite disables him, when in such a State of Suspense, (Letter p. 10.) from yielding a chearful Obedience according to the highest and most sacred Authority, *Rom. xiv. 22, 23.* I do not take upon me to determine for others, but I freely own these Questions I am not able to answer, I wish I was, but I cannot as yet, I have been already at some pains, and am resolved to be at more, by reading ‡, thinking, and proposing them to others, wiser and better known in these Matters than I can pretend to, to find a satisfying Resolution of them; and if by any Means I chance to be so lucky as fall on it, within this Twelvemonth, none shall be more ready than I, to publish those Parts of the Law also, without imagining my self a proper Herald, or resenting it against any Man, who shall imagine so, further than to think him very fanciful; but as yet I find want of Ability to accomplish that Part of the TASK ENJOINED, and must leave the rest to the Providence of God, the Wis-

† *Vid.* The other Queries proposed, p. 7.

‡ *Vid.* The anonymous Write call'd, The *Edinburgh* Letter. The Lawfulness and Necessity of reading the Act, &c.

dom and Clemency of the Legislature, and the assured Testimony of my own Mind, that it is not obstinate Contempt of lawful Authority, that hinders me from coming full up to the precise Terms of the Command of my Superiors; I have always entertain'd the highest Regard for a *British* Parliament: And for my Stipend and Family, I must ———

Here I took the Freedom to interrupt him, and told him, that what he said seem'd obviously consequential from the Principle, he laid down at first, *viz. That all Subjects ought to go as far with the Legislature, as they can with a safe Conscience*; yet I was afraid, he might be going all the while upon a wrong Principle, and had not enough adverted to what the Letter says of it (p. 31.)

To which he readily reply'd, Sir, I do not at all see how it is possible to disprove and condemn the Goodness and Truth of this Principle, while Men have common Sense, and the Bible in their Hands. For my Part, I ever thought it a Principle not only founded in the Reason of Mankind; a Principle so necessary, good and true, that without it no Society could ever have been enter'd into at first, or when enter'd into, can any Sort of Society at all subsist without the most sacred Regard to it; nay, further I think it a Principle as clearly reveal'd and authoris'd, and the Practice of it as strictly commanded and enjoin'd in the Gospel Revelation, as any other can be, or really is in the whole New Testament: It was my firm Persuasion of all this that made me yield myself wholly to be conducted by it in the present Case; and I am absolutely certain, that in as far as my Conduct is warranted by, and under the Influence of this Principle, in so far it was impossible for me to practise *Eraastianism*, or any other formidable ——— *ism*: Which, in other Words, is to say, That a Practice warranted, and
solely

solely influenced by a plain Command and Law of the Lord Jesus Christ, can never interfere with his being the Head of the Church, and supreme Law-giver and Judge of all, in that sense, and in that Latitude which the Revelation, of which he is the Author, does claim and assert ; and for any other senses or claims, that are the mere Fancies and Inventions of men, I profess, for my part, to have nothing to do with them. But as to what the Letter alleges against being influenced by this Principle in the present Case, I readily own, that an Obedience thus limited falls short of full Obedience to the Law, which enjoins the whole and not a Part of the Act to be read ; yet I can never admit the Consequence, (*ibid.*) That such a Practice shows no more Regard to the Law-giver, than absolute Silence of the whole, or that he who offends in one Point, the smallest *Iota*, is guilty of all ; (p. 30.) nor can any Man see the Force of this Consequence, while there is and ever will be a most manifest Difference between Something and Nothing, and while it may be a Question without just Offence to any Authority that is not divine and infallible, whether Law-givers that are *Men*, *i. e.* fallible, (Letter p. 10.) may not be supposed to frame a Law, consisting of several Enactments, whereof this, and that, and the other, and a fourth Enactment, may be apparently right and conducive to the Peace and Security of Society, and yet some other *Iota's* in that same very Law may, at least, not so apparently and forcibly convince the Mind and influence the Practice, but leave one doubtful, and in Suspense. ---- And tho' I shall be the last Man to entertain the least Suspicion, but the Man who is absolutely silent, (*ibid.*) acts fairly and honestly, yet it is hard not to admit likewise that partial Silence shows in the same fair and honest Light, that seeing he cannot obey the

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who's

whole, he equally accepts of the Alternative, and submits to the Punishment, rather than wound the Peace of his own Mind, as in the Case of him who refuses the whole. ---- And it is one of the ungenteeleest things in the whole Pamphlet, to insinuate (*ibid.*) that he who reads a Part would be *thought a good Subject*, in any other Sense but that only wherein he or any Man else is or can be a good Subject, that is, with a safe Conscience; and I think this, if any thing can be, is acting full up to the Apostle's Rule, *Rom. iv. 22, 23.* And therefore such fair Dealing, on no Account whatsoever, can justly deserve the Name of Flattery to any Mortal, nor the harder ones ----- (*ibid.*) ----- And tho' I was in a strait for an Argument to support all this, the Letter itself will help me to it, because (*ibid.*) his neglecting to read one Part of the Law apprises the People, (I will not say with him, that they *i. e.* his Governors, have enacted something wrong and unequal, no, but I may take his own Words, (p. 10) and say, that indeed it apprises the People and every body that hears of it) that there is something in the Law not what he could just wish, certain Doubts, some how or other, cloud his Understanding and perplex his Mind, that he cannot yield a cheerful Obedience, according to the Apostle's Rule. Thus like a good Subject and an honest Man, or, if you please, like a rigid Presbyterian, and staunch Revolutioner, he goes as far with the Legislature as he can with a safe Conscience, he reads a Part of the Act, and thereby manifests, not only his Obedience to lawful Authority, his Regard to the Peace and Security of legal Government and Safety of the People, whose Minister he is, but likewise shows how willing he is to read the whole, and yield full Obedience, could he see the Consistence of reading the Part he omits, with the Testimony

mony of a good Conscience, and Preservation of his Rights and Privileges, as a Subject of *Great-Britain*, and a Minister of the Church of *Scotland*, as by Law established. And now I hope I may borrow a great deal from the Letter, and apply it with equal Justice to the Case of him who intimates a Part of the Act, as he does to the Case of him who omits the whole. "Pity! that such a Man should incur the Penalty." And may not such an one lay himself at the Feet of the Legislature, with an equal Confidence in their Clemency? May he not look for Safety on the same Grounds, and use a like, if not a better Plea, than the Letter-writer puts in the Mouth of him who neglects the whole (p. 25, 26.) "'Tis true we are Offenders in part, but not wilful and obstinate Offenders. --- Not in Contempt of the Law, ---- not for want of Zeal to the present Administration, ---- we are sorry we cannot come up to every *Iota*, ---- not the greatest Hardship, ---- nothing but the Dictates, possibly indeed of an erring Mind, could suspend our entire and full Obedience, ---- for no other Reason would we refuse to read every *Iota*, the smallest Point of the Law. --- Can the Pity and Compassion of the Legislature find more proper Objects? ---- Where can we find any greater earthly Security than the Mercy and Goodness of our gracious King and Parliament? Many Ministers of this Church experienced the Mercy and Clemency of His Majesty's Royal Father, of immortal Memory, in overlooking Transgressions of a more suspicious Nature; and our present King, (whom God long preserve for a lasting Blessing,) continues the same Goodness to them and many others----- But are we willing to give every other Proof of our Loyalty? Have we manifested our Readiness to obey in

“ all ot her things, and in the present Case too, as far
 “ as we could find competent to our Character and
 “ Usefulness, and may not we hope to obtain For-
 “ giveness? ” ---- We are afraid.---- But then, Sir,
 said I, interrupting him again, forgive me to tell
 you that I think the greatest Difficulty yet remains.
 What do you think of the Boccardo he entangles
 you partial Readers in? (Letter, p. 32) excuse my
 Freedom, ---- perhaps I'm too troublesome; ----
 but I shall not insist, if it be in the least disobliging.

I allow you, reply'd he, all Freedom to insist u-
 pon any thing in the Letter, and with respect to
 what you are pleased to call a Boccardo, wherein we
 are fairly entangled, I remember it, and I remember
 too that when I read it, it put me in mind of a Re-
 mark, which a very great Man makes somewhere
 in his Writings, viz. “ That one is sometimes great-
 “ ly surpris'd to find the weak things adduced by
 “ the greatest Masters of Reason, to help out with
 “ a beloved Hypothesis. ” The darling Hypothe-
 sis of the Letter is, *Absolute Silence is best in the pre-
 sent Case*; but there is a strange Reason adduced to
 support this, and discredit partial Silence. (p. 32).
 In one Line we are told, that Silence of any Part of
 the Law, is so strong and significant an Exception
 to that Part of the Law which is pass'd over in Si-
 lence, that it is, upon the Matter, apprising the Peo-
 ple, that their Governors have enacted something
 (i. e. the Part which is hush'd) wrong and unequal.
 This gives one a very formidable Idea of partial
 Silence, but the next Line graciously relieves one
 of the Terror, by telling us, that reading a Part,
 makes the passing the other Part over in Silence,
 stand just for nothing at all, or “ infers an Appro-
 “ bation of the whole. ” It would be hard to re-
 concile these two Propositions, or infer any thing
 from them without a well establish'd Maxim, and a
 very

very well establish'd one is instantly apply'd for that purpose, *exceptio confirmat regulam in non exceptis*. But as well as this Maxim is establish'd, it will never establish his Doctrine, namely, That Silence is at the same time a most significant Exception to a Rule, as the first Proposition asserts, and is a most insignificant Exception to a Rule, according to the second Proposition; which some may think a round Inconsistence.

What then, said I, shall one think of all the hard things I have heard said of them who have read the whole Act, and them who have read but a Part of it, by those who have kept absolute Silence, I am apt to think themselves, tho' most noisy and clamorous, more liable in all respects than ——— Here he interrupted me, looking angry, and with some Warmth said, No personal Reflexions, Sir, if you please! I hope I have kept at the farther Distance from every thing of that kind, or whatever might give a bad Impression of any Man, that has deviated from the Method I have taken, or that can in the least be interpreted a Design to rob those especially of their Plea for Indulgence and Safety from the Legislature, who have declined, for Conscience Sake, to notify any Part of the Act, No! I detest and disdain the Thought, a tender Conscience, I'm well perswaded, is the best Quality a Man can be possess'd of, the strongest Tye to all and fundry the Duties of social Life, and renders one most worthy of the Favour, Protection and Clemency of the Governor; and who can doubt but they will meet with it in those good Days, wherein our Legislature, on every Occasion, discovers a generous Zeal to screen tender Consciences from Hardship and Violence? The *British* Parliament are infinitely removed from laying Trains (the hard Fate of former Times) † to
en-

† *Vid.* The Case of that glorious Patriot, the ~~Duke~~ of Argyle,
Earl (the

entangle the Subject in the horrid Choice of either wounding the Peace of his own Mind (which a wise Law-giver calls a Trouble, of all other the hardest to bear) or underlying the most distressing Calamity in Life: But on the contrary, ever tends a gracious Ear to the Complaints, and affords present Relief to the just Grievances that affect the spiritual or temporal State of the Subject, and holds Persecution for Conscience sake execrable, that merciless Engine cruelly adapted to extinguish a Sense of Liberty, and banish Truth and Integrity from among Men, and only necessary to support Violence and Popery, and spread Darkeness, Slavery and Hypocrisy over the Face of the whole Earth. All my Intention in what I have said, was in Obedience to your Desire, and for your Satisfaction, to point at some things that I thought wrong or wanting in the Letter, &c. a Pamphlet done in a genteel Manner, and certainly in so far, with a good Design, as it pleads for the Indulgence and Clemency of the Government, in behalf of some, to my certain Knowledge, of His Majesty's best affected and most loyal Subjects; good Men, and useful Ministers of the Gospel, tho' they have, for want of better Light, declined to read any Part of the Act; and to add something in behalf of those, whose Conduct is little taken notice of in the Pamphlet, and less in any other Pamphlet I have seen upon the Subject of the Act; and indeed this can only be look'd on as a Piece of common Justice, since where the Letter-writer touches upon their Conduct, he places it, I will not say in a designedly wrong, but not in the best Light it

(the present most Illustrious Duke of *Argyle's* Grandfather) with respect to the Test in 1681, in *Charles II.* his Time; and the other Intercommunings, Fines, &c. in his Reign, and in the Beginning of his Brother's *James VII.* *Burnet's Hist.* Vol. I.

is capable of; but for Reflexions on any Man, I abhor it and sincerely wish that, among us Clergy at least, every thing may be banish'd that looks like Stiffness, Narrowness, or blind Attachment to our own particular Way, without listning to what others have to say for themselves, and especially, that on all hands, we may be duely aware of the Odicousness of any Side's affecting to make a Monopoly to themselves of Fairness, Honesty, &c. and on that Account, of all Claims to Safety and Mercy, either at the Hand of our most Gracious God, or our wise and benign Legislature, while they proudly look down upon the Case of others, in Defiance of their own Fallibility, and the christian Rule, with an uncharitable Mind, and contemptuous and unrelenting Eye.

He said a great deal more to this Purpose, which I cannot remember, but if what I have wrote from my Memory be of any Use to you, I shall think myself enough rewarded for the little Trouble I have been at in this Matter, who wish you all well, and cannot therefore conclude, without disclosing to you a very dismal Apprehension that has hung heavy upon my Mind, and caused some serious minutes to me, since the Time I first heard of this Act, *viz.* lest what the Government, I would fain hope, simply intended as a Mean of their own and the publick Peace and Safety, of discouraging Mobs, searching out and bringing Rioters to Justice, and terrifying others from adventuring on Precedents so manifestly subversive of all legal Government, should by the **CLERGY THEMSELVES** be unhappily turned into a violent and successful Engine of breaking you in pieces among your selves, of heightening old, and creating new Divisions, Heats, and other Evils, to the manifest weakening of the common Interest of Religion, and giving a Handle to the profest Enemies and Envyers of our happy Establishment, in Church

Church and State, of saying by way of Insult and Triumph, *Aha! we would have it thus* : And therefore I heartily wish that Ministers and others, who love the Church of *Scotland* and her Peace, may be much with God in Prayers and Tears, that he would direct the Ministers, especially in this critical Season, and in his great Goodness prevent any fatal Effects to our Constitution ; of their causing, through Inattention, mere Sound of high Words, Warmth of Temper, Party-Zeal, private Disgusts and Resentments, posting up one another to the Resentment of the Government on the one hand, or the Fury of the People on the other, straining Consequences from the Principles or Practices of one another in this Matter, which they declare on both sides they do not see, or if they did, would abhor, and especially thro' hatching and coining new Terms of Christian Communion, that are not to be found in Christ's Royal Law, which only can be binding upon his Subjects, I mean, the Gospel-Revelation, and if I remember right, I think I have heard this last called by some eminently good and wise Men, one of the most violent and Antichristian Usurpations upon the Supreme Headship, Dominion and Authority of the Lord Jesus Christ, that ever was attempted or devised by Mortals ; and yet, that ever since the Reformation, Protestant High-flyers of all Denominations have eagerly grasped at it, and shown an uncommon Loathness to forego and part with this mere Idol of Popery and Ecclesiastical Tyranny, tho' I cannot allow myself to think any of our Clergy will be knowingly guilty in this Particular. Please, Sir, excuse my Freedom, who, you see, am so weak, that I can conceal nothing from you, which is owing to the very particular Regard and Esteem wherewith I am,

Reverend Sir,

August 20th
1737.

Tours, &c.